

Introduced by Senator Figueroa

February 17, 2005

An act to amend Section 27 of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

SB 412, as introduced, Figueroa. Department of Consumer Affairs. Existing law requires certain entities and programs under the jurisdiction of the Department of Consumer Affairs to provide information on the Internet regarding their licensees, and whether a license has been suspended or revoked, among other things.

This bill would correct an erroneous cross-reference and make other nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27 of the Business and Professions Code
2 is amended to read:
3 27. (a) Every entity specified in subdivision (b), on or after
4 July 1, 2001, shall provide on the Internet information regarding
5 the status of every license issued by that entity in accordance
6 with the California Public Records Act (Chapter 3.5
7 (commencing with Section 6250) of Division 7 of Title 1 of the
8 Government Code) and the Information Practices Act of 1977
9 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part
10 4 of Division 3 of the Civil Code). The public information to be
11 provided on the Internet shall include information on suspensions
12 and revocations of licenses issued by the entity and other related

1 enforcement action taken by the entity relative to persons,
2 businesses, or facilities subject to licensure or regulation by the
3 entity. In providing information on the Internet, each entity shall
4 comply with the Department of Consumer Affairs Guidelines for
5 Access to Public Records. The information may not include
6 personal information, including home telephone number, date of
7 birth, or social security number. Each entity shall disclose a
8 licensee's address of record. However, each entity shall allow a
9 licensee to provide a post office box number or other alternate
10 address, instead of his or her home address, as the address of
11 record. This section shall not preclude an entity from also
12 requiring a licensee, who has provided a post office box number
13 or other alternative mailing address as his or her address of
14 record, to provide a physical business address or residence
15 address only for the entity's internal administrative use and not
16 for disclosure as the licensee's address of record or disclosure on
17 the Internet.

18 (b) Each of the following entities within the Department of
19 Consumer Affairs shall comply with the requirements of this
20 section:

21 (1) The Acupuncture Board shall disclose information on its
22 licensees.

23 (2) The Board of Behavioral Sciences shall disclose
24 information on its licensees, including marriage and family
25 therapists, licensed clinical social workers, and licensed
26 educational psychologists.

27 (3) The Dental Board of California shall disclose information
28 on its licensees.

29 (4) The State Board of Optometry shall disclose information
30 regarding certificates of registration to practice optometry,
31 statements of licensure, optometric corporation registrations,
32 branch office licenses, and fictitious name permits of their
33 licensees.

34 (5) The Board for Professional Engineers and Land Surveyors
35 shall disclose information on its registrants and licensees.

36 (6) The Structural Pest Control Board shall disclose
37 information on its licensees, including applicators, field
38 representatives, and operators in the areas of fumigation, general
39 pest and wood destroying pests and organisms, and wood roof
40 cleaning and treatment.

1 (7) The Bureau of Automotive Repair shall disclose
2 information on its licensees, including auto repair dealers, smog
3 stations, lamp and brake stations, smog check technicians, and
4 smog inspection certification stations.

5 (8) The Bureau of Electronic and Appliance Repair shall
6 disclose information on its licensees, including major appliance
7 repair dealers, combination dealers (electronic and appliance),
8 electronic repair dealers, service contract sellers, and service
9 contract administrators.

10 (9) The Cemetery ~~Program~~ and Funeral Bureau shall disclose
11 information on its licensees, including cemetery brokers,
12 cemetery salespersons, crematories, ~~and~~ cremated remains
13 disposers.

14 ~~(10) The Funeral Directors and Embalmers Program shall~~
15 ~~disclose information on its licensees, including, embalmers,~~
16 ~~funeral establishments, and funeral directors.~~

17 ~~(11)–~~

18 (10) The Contractors' State License Board shall disclose
19 information on its licensees in accordance with Chapter 9
20 (commencing with Section 7000) of Division 3. In addition to
21 information related to licenses as specified in subdivision (a), the
22 board shall also disclose information provided to the board by the
23 Labor Commissioner pursuant to Section 98.9 of the Labor Code.

24 ~~(12)–~~

25 (11) The Board of Psychology shall disclose information on its
26 licensees, including psychologists, psychological assistants, and
27 registered psychologists.

28 (c) "Internet" for the purposes of this section has the meaning
29 set forth in paragraph (6) of subdivision ~~(e)~~ (f) of Section 17538.